



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**Board of Mechanical Rules
Okemos Office Building
2501 Woodlake Circle
Conference Room 3
First Floor
Okemos, Michigan
January 23, 2008
9:00 a. m.**

- A G E N D A -

1. Call to Order and Determination of Quorum Chairperson
2. Approval of November 14, 2007 Minutes (pages 3-6) Chairperson
3. Election of Officers Chairperson
4. Applicant for Registration (page 7) T. Barry
Brian A. Klug
5. Product Approval (pages 8-11) T. Barry
Document M-08-01 Tyco Fire & Building Products
6. Old Business Chairperson
Document M-07-29 David Vermillion (tabled 11/14/07) (pages 12-20)
Document M-07-30 Reginald T. McKinney (tabled 11/14/07) (pages 21-29)
Document M-07-32 David Horvath (tabled 11/14/07) (pages 30-43)
Document M-07-26 Shane Keitz (tabled 11/14/07, T. Barry report)
7. New Business Chairperson
8. Legislative Report T. Barry
9. Public Comment Chairperson
10. Adjournment Chairperson

Providing for Michigan's Safety in the Built Environment

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Board of Mechanical Rules

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January 23, 2008

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact Claudia Tenny at 517/241-9325 at least (10) working days before the event.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

**BOARD OF MECHANICAL RULES
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

Conference Room 3
2501 Woodlake Circle
Okemos, Michigan 48864

MINUTES

November 14, 2007
9:00 a.m.

MEMBERS PRESENT

Mr. H. Edward Bartram
Mr. Joseph Connors
Mr. Lawrence Hale II
Mr. Charles Inman
Mr. Robert Jagenberg
Mr. Patrick Maher
Mr. Mark Mangione
Mr. Michael Ogletree
Mr. Gregory Parker
Mr. William Steele
Mr. Christopher Stockwell
Mr. Charles Wash
Mr. Donald Welch

MEMBERS ABSENT

Mr. George B. Shields
Mr. Gary VanOchten

DRAFT

**MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL
ATTENDING**

Mr. Tennison B. Barry, Chief, Mechanical Division, Bureau of Construction Codes
Mr. David Adams, Assistant Chief, Mechanical Division, Bureau of Construction Codes
Ms. Claudia Tenny, Secretary, Mechanical Division, Bureau of Construction Codes

OTHERS IN ATTENDANCE

Mr. Stephen Wylie, Consumers Energy
Mr. Lynn Briggs, SMACNA/MIAM
Mr. Harvey Hansen
Mr. Shane Keitz
Mr. Brad Baumgart

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Board of Mechanical Rules

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November 14, 2007

Mr. David Horvath
Mr. Wayne Weeks
Mr. Thomas Flavin
Mr. Carl Cline
Mr. Reginald T. McKinney

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Mr. Robert Jagenberg, Chairperson, called the meeting to order at 9:00 a.m. Roll was called and a quorum was determined.

2. APPROVAL OF MINUTES

Mr. Bartram made a **MOTION** to approve the minutes of the September 19, 2007 meeting seconded by Mr. Steele. **MOTION CARRIED.**

3. EXAMINATION APPEALS

Document M-07-31, Mr. Brad Baumgart appeared before the Board to appeal the denial of his application for Mechanical Contractor Licensing Examination. Mr. Barry explained the basis of the denial. Mr. Baumgart described his work experience and answered questions from various Board members. Mr. Welch made a **MOTION** to deny the appeal due to lack of required, documented work experience, seconded by Mr. Wash. **MOTION CARRIED.**

Document M-07-32, Mr. David Horvath appeared before the Board to appeal the denial of his application for Mechanical Contractor Licensing Examination. Mr. Barry explained the basis of the denial. Mr. Horvath addressed the board regarding his work experience and answered questions from various Board members. A **MOTION** was made by Mr. Ogletree and seconded by Mr. Bartram to table the appeal to allow applicant to supply additional work experience information. **MOTION CARRIED.**

Document M-07-33, Mr. Wayne Weeks appeared before the Board to appeal the denial of his application for Mechanical Contractor Licensing Examination in. Mr. Barry explained the basis of the denial and Mr. Weeks explained his work experience to the Board and answered questions from various Board members. A **MOTION** was made by Mr. Bartram and seconded by Mr. Parker to deny the appeal. **MOTION CARRIED.**

Document M-07-34 Mr. Thomas Flavin appeared before the Board to appeal the denial of his application for Mechanical Contractor License Examination. Mr. Barry explained the basis of the denial. Mr. Flavin presented to the Board his work experience and answered questions

From various Board members. A **MOTION** was made by Mr. Bartram and seconded by Mr. Welch to deny the appeal. **MOTION CARRIED.**

Document M-07-35 Mr. Carl Cline appeared before the Board to appeal the denial of his application for Mechanical Contractor License Examination. Mr. Barry explained the basis of the denial. Mr. Cline outlined for the Board his work experience and answered questions from various Board Members. A **MOTION** was made by Mr. Wash and seconded by Mr. Mangione to deny the appeal. **MOTION CARRIED.**

4. LICENSING ACTION

Document M-07-29 Mr. David Vermillion was unable to attend the meeting and request a delay in Board action regarding the matter. A **MOTION** was made by Mr. Inman and seconded by Mr. Wash to table action until the January 23, 2008 meeting. **MOTION CARRIED.**

Document M-07-39 Mr. Reginald T. McKinney appeared before the Board regarding licensing action recommended by the Administrative Law Judge. There was discussion regarding issues in the matter. A **MOTION** was made by Mr. Ogletree and seconded by Mr. Bartram to table the decision until the January 23, 2008 meeting. **MOTION CARRIED.**

Document M-07-36 Mr. Daniel Dittmer was not present at the meeting. Documents regarding the licensing action were reviewed by the Board members. A **MOTION** was made by Mr. Wash and seconded by Mr. Steele to accept the recommendation of the Administrative Law Judge and revoke the Mechanical Contractor License of Mr. Dittmer. **MOTION CARRIED.**

5. OLD BUSINESS

Document M-07-26 A **MOTION** was made by Mr. Wash and seconded by Mr. Steele to remove the appeal from the table. **MOTION CARRIED.** Mr. Shane Keitz appeared before the Board regarding the table of his appeal for issuance of Mechanical Contractor License. There was discussion on the issue and a **MOTION** was made by Mr. Ogletree and seconded by Mr. Mangione to table again to allow staff to verify the legality of the work experience and Mr. Barry is to report to the Board regarding the Tax Code. **MOTION CARRIED.**

Document M-07-23 A **MOTION** was made by Mr. Maher and seconded by Mr. Bartram to remove the appeal from the table. **MOTION CARRIED.** Mr. Harvey Hansen was present at the meeting to present additional work experience documentation and address the Board. The information was reviewed and a **MOTION** was made by Mr. Bartram and seconded by

Board of Mechanical Rules

Page 4

November 14, 2007

Mr. Steele to approve Mr. Hansen for examination. **MOTION CARRIED.**

6. NEW BUSINESS

None.

7. LEGISLATIVE REPORT

Mr. Barry reported that the 2006 Mechanical Code will go into effect on December 4, 2007 and the Plumbing Code will go into effect approximately January 6, 2008. There was discussion regarding the changes in the code.

8. PUBLIC COMMENT

Mr. Lynn Briggs discussed with the Board two bills that are presently in the House of Representatives one of which has to do with carbon monoxide detectors in hotel rooms expanding the definition of a hotel room to include any type of temporary housing where people stay. There is a companion bill to require carbon monoxide detectors in homes and Homebuilders Association is objecting to it. This bill was passed by committee. There was discussion of the different types of equipment. The bills are moving through the House and then will go to the Senate. If approved there they will come to the Bureau of Construction Codes to write rules as to installing the equipment.

Mr. Briggs also commented about the situation with Michcon and their home heating repair program and the practice of switching between regulated and non regulated work.

9. ADJOURNMENT

A **MOTION** was made by Mr. Stockwell to adjourn the meeting, seconded by Mr. Welch. **MOTION CARRIED.**

Next Board of Mechanical Rules Meeting January 23, 2008

APPROVED

DATE

Mr. Robert Jagenberg, Chairperson

Document #08-e**

MECHANICAL INSPECTORS

11/29/07 bmr

03/05/08 ccc

KLUG, Brian A.

Contractors License #7112722 (12/1998)

Classifications 1, 2, 3, 5, 6 & 7

8,000+ hours HVAC

Additional Inspector

Plainfield Township – Iosco County



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

DATE: January 10, 2008 M08-01
TO: Board of Mechanical Rules
FROM: Tennison B. Barry , Chief , Mechanical Division
SUBJECT: Approval of Product –

The items listed below have been reviewed by Mechanical Division staff.

The manufacturers, the products, and the recommendations of the Mechanical Division for approval or disapproval of the items for installation in the State of Michigan are as follows:

Manufacture: Tyco Fire & Building Products
Product: Grinnell Grooved Couplings and Fittings
Description: Cast Ductile Iron pipe couplings, flange adapters, mechanical outlets, and fittings.

Test Results: UL

Recommendation: Recommend approval for installation in the State of Michigan under the following condition(s).

1. Must be installed to the Michigan Mechanical Code.
2. Must be installed to the installation instructions.

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 8, 2008

Mr. Mark J. Estrella
Tyco Fire & Building Products
1467 Elmwood Ave.
Cranston, RI 02910 USA

Dear Mr. Estrella:

On January 23, 2008, the Board of Mechanical Rules will consider the Product Approval Application of Tyco Fire & Building Products, Grooved Couplings and Fittings.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

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tyco

*Fire & Building
Products*

Grinnell®

Tyco Fire & Building Products
Research & Development Center
Grinnell Grooved Piping Products
1467 Elmwood Ave.
Cranston, RI 02910 USA

Tele: 401-781-8220
Fax: 401-781-7317

5-Nov-07

Michigan Department of Labor and Economic Growth
Bureau of Construction Codes
PO Box 30255
Lansing, MI 48909

To Whom It May Concern:

Please accept this application packet for the State of Michigan approval of Tyco Fire & Building Product's (TFBP) full line of Grooved Couplings and Fittings. Enclosed are applications for both the Michigan Mechanical Code, and the Plumbing Code with the accompanying Approval Agency Reports.

We are seeking approval for all of our products, in sizes up to 24". Looking at the enclosed Underwriters Laboratories (UL) and International Association of Plumbing and Mechanical Officials (IAPMO) approval paperwork, these agencies only approve up to 12". This is a result of the approvals needed for Fire Protection only govern up to 12", and anything over that size is generally considered a Mechanical Application which does not need agency approval. Please be assured, we internally test all of our large diameter products (14"+) to the same criteria as the agencies would require.

With that being said, there is a packet for each member of the Mechanical Board, and each member of the Plumbing Board. It is our intention to have these packets submitted in time for the next approval meeting in January.

If there is anything else that you require, please feel free to contact me.

Thank you



Mark J. Estrella
Project Engineer
401-781-8220 x438

tyco

*Fire & Building
Products*

Grinnell®

Tyco Fire & Building Products
Research & Development Center
Grinnell Grooved Piping Products
1467 Elmwood Ave.
Cranston, RI 02910 USA

Tele: 401-781-8220
Fax: 401-781-7317

To: Michigan Department of Labor & Economic Growth – Bureau of Construction Codes
Cc:
From: Mark Estrella
Date: 5-Nov-07
Subject: Grinnell Grooved Couplings and Fittings List (Mechanical)

All of Grinnell's products are designated by a Figure (Fig) Number; ex. Fig 577 Coupling.

Couplings, Flange Adapters, and Mechanical Outlets

Fig 577, 705, 707, 772, 716, 770, 71, 40-5, 522, 730, 472, 405

Fittings

Fig 201, 210, 219, 221, 250, 260, 227, 301, 302, 303, 310, 311, 312, 313, 314, 315, 319, 320, 321, 322, 323, 324, 325, 327, 328, 330, 331, 341, 342, 350, 351, 360, 372, 397, 398, 399, 501, 501s, 510, 510s, 519, 519s, 521, 527, 550, 560, Ada-Cap



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 8, 2008

Mr. David Vermillion
1464 Secord Dam Road
Gladwin, MI 48624

Dear Mr. Vermillion:

On January 23, 2008, the Board of Mechanical Rules will take action on the report and recommendation of the Administrative Law Judge regarding your Mechanical Contractor License that was tabled at their meeting on November 14, 2007.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

TBB/cct

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

November 20, 2007

Mr. David Vermillion
1464 Secord Dam Road
Gladwin, MI 48624

Dear Mr. Vermillion:

On November 14, 2007, the Board of Mechanical Rules delayed taking licensing action against your Mechanical Contractor License until you are able to be present at the meeting.

The Board will make a decision regarding licensing action at their January 23, 2008 meeting.

If you have any questions, you may contact the Mechanical Division at (517) 241-9325.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

M-07-29

TO: Members of the Board of Mechanical Rules
FROM: Tennison B. Barry, Chief, Mechanical Division
SUBJECT: Background Information

APPLICANT REPRESENTATIVE:

David R. Vermillion

PROJECT:

Report of Administrative Law Judge

AUTHORITY:

The Forbes Mechanical Contractors Act of 1984 as Amended, being Act 192 of the Michigan Compiled Laws.

REQUEST:

Staff request, that the Board of Mechanical Rules accept the recommendation of the Administrative Law Judge.

APPLICABLE RULE:

R 338.903a of the Board of Mechanical Rules License Examination Procedures

RECOMMENDATION:

It is recommended that Mr. Vermillion's Mechanical Contractor License be revoked.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

Mr. David Vermillion
1464 Secord Dam Road
Gladwin, MI 48624

Dear Mr. Vermillion:

On November 14, 2007 the Board of Mechanical Rules will take action on the report and recommendation of the Administrative Law Judge regarding your Mechanical Contractor License.

The meeting will be at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief *CT*
Mechanical Division

TBB/cct

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**STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES**

In the matter of	Docket No.	2007-286
Bureau of Construction Codes, Petitioner	Agency No.	06-087-M
v	Agency:	Bureau of Construction Codes
David R. Vermillion Mechanical Contractor License No. 71-04310, Respondent	Case Type:	Sanction Revocation

Issued and entered
this 12th day of July 2007
by J. Andre Friedlis
Administrative Law Judge

REPORT OF THE ADMINISTRATIVE LAW JUDGE

PROCEDURAL HISTORY

This is a proceeding held pursuant to Sections 11(1) of 1984 PA 192, as amended, the Forbes Mechanical Contractors Act (Act 192), MCL 338.981 and Section 92 of 1969 PA 306, as amended, the Administrative Procedures Act (APA), MCL 24.292.

The purpose of this review is to consider the Petitioner's proposal "for the imposition of penalties and remedies provided in the State Construction Code Act, and in the Mechanical Contractors Act including imposition of a civil fine pursuant to the State Construction Code Act and suspension, denial or revocation of [Respondent's] mechanical contractors license, and restitution pursuant to the Mechanical Contractors Act." See Petitioner's January 23, 2007, Notice of Intent, page 5.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

On March 9, 2007, Petitioner requested a hearing to present evidence to support its position that Respondent's actions violated Act 192 by the conduct alleged in Counts I through III of the January 23, 2007, Notice of Intent.

Pursuant to Section 92 of the APA, a compliance conference was scheduled for February 22, 2007, to provide Respondent an opportunity to show compliance with all lawful requirements. Respondent did not appear for the conference.

The matter was then scheduled for hearing on July 3, 2007. Petitioner appeared, represented by Assistant Attorney General Richard Gartner. He was accompanied by Gerrit Bakker, Bureau of Construction Code Analyst, Tennison Barry, Chief of the Mechanical Division, and John Paradine, Mechanical Inspector. Respondent Vermillion did not appear.

Section 11(4) of Act 192, MCL 338.981(4), permits hearings in accordance with the procedures applicable to the trial of contested cases under the APA. Section 72 of the APA provides:

(1) If a party fails to appear in a contested case after proper service of notice, the agency, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party.

The State Office of Administrative Hearings and Rules' records show that notice of the hearing scheduled for July 3, 2007, was properly mailed on April 30, 2007, to the Respondent's address of record:

David R Vermillion
1464 Secord Dam Road
Gladwin, MI 48624

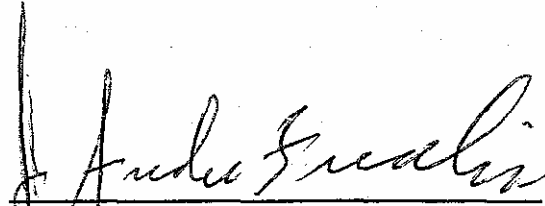
The postal authorities did not return this notice as undeliverable. The Respondent did not request an adjournment of the hearing.

As permitted by Section 72 of the APA, Petitioner's Attorney filed a Motion for a default judgment. In support of this Motion, Petitioner presented the testimony of Mechanical Inspector John Paradine. Mr. Paradine testified in detail concerning his observations on December 13, 2005 at a restaurant DeRosiles Mexican American Cuisine in Brooklyn, Michigan. At that time, he observed Respondent servicing make-up air equipment and noted the recent installation of a commercial exhaust hood and duct work. After investigation, Mr. Paradine determined that Respondent did not have a license to install gas-fired make up equipment. Also, while he had a license to install an exhaust hood and duct work, Respondent did not obtain a permit for this work in advance as required by Section 106.1 of the Mechanical Code. Finally, Respondent did not obtain plan review of construction plans in advance as required by Section 106.3.1 of the Mechanical Code.

Based on Petitioner's Motion for a default judgment, Respondent's failure to appear, and Petitioner's proofs, I find that Petitioner has established the allegations alleged in Counts I through III of the Notice of Intent. The record establishes violations of Act 192 as well as the Michigan Mechanical Code. These violations permit Board sanctions pursuant to Section 16 of Act 192.

RECOMMENDED DECISION

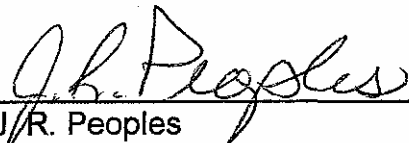
I recommend the Board of Mechanical Rules find Respondent violated Act 192. I also recommend the Board revoke Respondent's Mechanical Contractors Limited License No. 71-04310.

A handwritten signature in black ink, appearing to read "J. Andre Friedlis", is written over a horizontal line.

J. Andre Friedlis
Administrative Law Judge

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the foregoing document was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by UPS/Next Day Air, facsimile, and/or by mailing same to them via first class mail and/or certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 12th day of July, 2007.



J.R. Peoples
State Office of Administrative Hearings and Rules

David R Vermillion
1464 Secord Dam Road
Gladwin, MI 48624

Gerrit Bakker
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

Jon Paradine
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

Richard P Gartner
Department of Attorney General
Labor Division
7th Floor Williams Bldg.
P.O. Box 30736
Lansing, MI 48909



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

M-07-30

TO: Members of the Board of Mechanical Rules
FROM: Tennison B. Barry, Chief, Mechanical Division
SUBJECT: Background Information

APPLICANT REPRESENTATIVE:

Reginald T. McKinney

JEN: **PROJECT:**

Report of Administrative Law Judge

AUTHORITY:

The Forbes Mechanical Contractors Act of 1984 as Amended, being Act 192 of the Michigan Compiled Laws.

REQUEST:

Staff requests that the Board of Mechanical Rules modify the recommendation of the Administrative Law Judge. This request is based on information obtained after the Administrative action.

JEN: **APPLICABLE RULE:**

R 338.903a of the Board of Mechanical Rules License Examination Procedures

RECOMMENDATION:

It is recommended that no action is taken against Mr. McKinney's Mechanical Contractor License.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 8, 2008

Mr. Reginald T. McKinney
210 South Second St.
Saginaw, MI 48607

Dear Mr. McKinney:

On January 23, 2008, the Board of Mechanical Rules will take action on the report and recommendation of the Administrative Law Judge regarding your Mechanical Contractor License that was tabled at their meeting on November 14, 2007.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

TBB/cct

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JENNIFER M. GRANHOLM
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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

November 26, 2007

Mr. Reginald T. McKinney
210 South Second St.
Saginaw, MI 48607

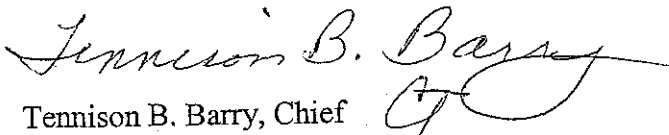
Dear Mr. McKinney:

On November 14, 2007, the Board of Mechanical Rules delayed taking licensing action against your Mechanical Contractor License to allow violations to be corrected.

The Board will make a decision regarding licensing action at their January 23, 2008 meeting.

If you have any questions, you may contact the Mechanical Division at (517) 241-9325.

Sincerely,



Tennison B. Barry, Chief
Mechanical Division

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

Mr. Reginald T. McKinney
210 South Second St.
Saginaw, MI 48607

Dear Mr. McKinney:

On November 14, 2007 the Board of Mechanical Rules will take action on the report and recommendation of the Administrative Law Judge regarding your Mechanical Contractor License.

The meeting will be at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

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Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

TBB/cct

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**STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES**

In the matter of	Docket No.	2007-292
Bureau of Construction Codes, Petitioner	Agency No.	06-0621-M
v	Agency:	Bureau of Construction Codes
Reginald T. McKinney D/b/a Reggie & Son Heating & Air Conditioning Mechanical Contractor License No. 71-09737, Respondent	Case Type:	Sanction Revocation

Issued and entered
this 18th day of September 2007
by J. Andre Friedlis
Administrative Law Judge

REPORT OF THE ADMINISTRATIVE LAW JUDGE

PROCEDURAL HISTORY

This is a proceeding held pursuant to Sections 11(1) of 1984 PA 192, as amended, the Forbes Mechanical Contractors Act (Act 192), MCL 338.981 and Section 92 of 1969 PA 306, as amended, the Administrative Procedures Act (APA), MCL 24.292.

The purpose of this review is to consider the Petitioner's proposal "for the imposition of penalties and remedies provided in the State Construction Code Act, and in the Mechanical Contractors Act, including imposition of a civil fine pursuant to the State Construction Code Act and suspension, denial or revocation of [Respondent's] mechanical contractors license, and restitution pursuant to the Mechanical Contractors Act." See Petitioner's November 21, 2006, Notice of Intent, page 5.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

On March 13, 2007, Petitioner requested a hearing to present evidence to support its position that Respondent's actions violated Act 192 by the conduct alleged in Counts I, II, and III of the November 21, 2006, Notice of Intent.

Pursuant to Section 92 of the APA, a compliance conference was scheduled for December 21, 2006, to provide Respondent an opportunity to show compliance with all lawful requirements. Respondent did not appear for the conference.

The matter was then scheduled for hearing on September 11, 2007. Petitioner appeared, represented by Assistant Attorney General Richard Gartner. He was accompanied by Gerrit Bakker, Department Analyst, Scott Fisher, Director of the Office of Local Government & Consumer Services, and Ronald Wheatley, Building Official for Bridgeport Charter Township. Respondent McKinney did not appear.

Section 11(4) of Act 192, MCL 338.981(4), permits hearings in accordance with the procedures applicable to the trial of contested cases under the APA. Section 72 of the APA provides:

(1) If a party fails to appear in a contested case after proper service of notice, the agency, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party.

The State Office of Administrative Hearings and Rules' records show that notice of the hearing scheduled for September 11, 2007, was properly mailed on July 16, 2007, to the Respondent's address of record: Reginald T. McKinney, Reggie & Son Heating & Air Conditioning, 210 South Second Street, Saginaw, MI 48607.

The postal authorities did not return this notice as undeliverable. The Respondent did not request an adjournment of the hearing.

As permitted by Section 72 of the APA, Petitioner's Attorney filed a Motion for a default judgment. In support of this Motion, Petitioner offered Petitioner Exhibit 1, a chronology of events prepared by witness Wheatley listing his contacts with a complaining homeowner and review of the work performed by Respondent. Mr. Wheatley also presented testimony concerning his investigation.

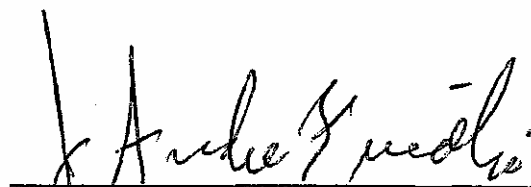
Mr. Wheatley testified in detail concerning Respondent's failure to obtain a permit, pay required fees, and call for a final inspection. Respondent also performed work outside the scope of his Mechanical license, in that he installed electrical and gas lines. Mr. Wheatley testified the homeowner paid \$4,100 to Respondent for Respondent's furnace and air conditioning installation work.

Based on Petitioner's Motion for a default judgment, Respondent's failure to appear, and Petitioner's proofs, I find that Petitioner has established the allegations alleged in Counts I, II, and III of the Notice of Intent. The record establishes violations of Act 192 as alleged in the Notice of Intent. These violations permit Board sanctions pursuant to Section 16 of Act 192.

RECOMMENDED DECISION

I recommend the Board of Mechanical Rules find Respondent violated Act 192. I also recommend the Board suspend Respondent's Mechanical Contractor License No. 71-09737 for a six month period. If during this period, Respondent makes restitution to the home owner in the amount of \$4,100 and provides proof of this payment

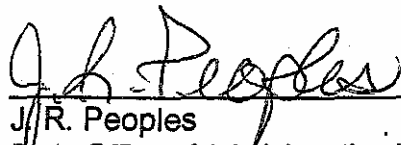
to Petitioner, Respondent may continue working under his license. If restitution is not made during the six month suspension period, I recommend Respondent's license be revoked.

A handwritten signature in black ink, appearing to read "J. Andre Friedlis", written over a horizontal line.

J. Andre Friedlis
Administrative Law Judge

PROOF OF SERVICE

I hereby state, to the best of my knowledge, information and belief, that a copy of the foregoing document was served upon all parties and/or attorneys of record in this matter by Inter-Departmental mail to those parties employed by the State of Michigan and by UPS/Next Day Air, facsimile, and/or by mailing same to them via first class mail and/or certified mail, return receipt requested, at their respective addresses as disclosed by the file on the 13th day of September, 2007.



J. R. Peoples
State Office of Administrative Hearings and Rules

Gerrit Bakker
Bureau of Construction Codes
P.O. Box 30254
Lansing, MI 48909

Reginald T. McKinney
Reggie & Son Heating & Air
Conditioning
210 South Second St.
Saginaw, MI 48607

Richard P. Gartner
Department of Attorney General
Labor Division
7th Floor Williams Bldg.
P.O. Box 30736
Lansing, MI 48909

Ron Wheatley
Bridgeport Charter Township Bldg.
Dept.
6206 Dixie Highway
Bridgeport, MI 48722



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

M-07-32

TO: Members of the Board of Mechanical Rules
FROM: Tennison B. Barry, Chief, Mechanical Division
SUBJECT: Appeal Request for Mechanical Contractor License Examination

APPLICANT REPRESENTATIVE:

David Horvath

PROJECT:

Not applicable.

AUTHORITY:

The Forbes Mechanical Contractors Act of 1984 as Amended, being Act 192 of the Michigan Compiled Laws.

REQUEST:

Requesting an appeal to sit for the Mechanical Contractors License Examination.

APPLICABLE RULE:

R 338.903a of the Board of Mechanical Rules License Examination Procedures

FINDINGS:

Mr. Horvath does not have experience as required by Act 192.

RECOMMENDATION:

Staff recommends denial



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

January 8, 2008

Mr. David Horvath
1250 S. Lallendorf
Oregon, OH 43616

Dear Mr. Horvath:

On January 23, 2008, the Board of Mechanical Rules will take action on your appeal of the denial by staff for Mechanical Contractor Licensing Examination that was tabled at their meeting on November 14, 2007.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

TBB/cct

Providing for Michigan's Safety in the Built Environment

BUREAU OF CONSTRUCTION CODES
P.O. BOX 30254 • LANSING, MICHIGAN 48909
Telephone (517) 241-9325 • Fax (517) 241-9308
www.michigan.gov



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

November 20, 2007

Mr. David Horvath
1250 S. Lallendorf
Oregon, OH 43616

Dear Mr. Horvath:

On November 14, 2007, the Board of Mechanical Rules tabled your appeal for Mechanical Contractor License Examination.

The Board will take action on your appeal at their January 23, 2008 meeting.

If you have any questions, you may contact the Mechanical Division at (517) 241-9325.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

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JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 25, 2007

Mr. David Horvath
1250 S. Lallendorf
Oregon, OH 43616

Dear Mr. Horvath:

LEW

On November 14, 2007 the Board of Mechanical Rules will take action on your appeal of the denial by staff for Mechanical Contractor Licensing Examination.

If you would like input on this action, you should be present at the Okemos Office Building, 2501 Woodlake Circle, Okemos, Michigan at 9:00 a.m. in Conference Room 3.

The meeting site is accessible, including handicapped parking. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional accommodations in order to participate in the meeting should contact the Mechanical Division at 517/241-9325 at least (10) working days before the event.

If I can be of further assistance, you may contact me.

Sincerely,

Tennison B. Barry
Tennison B. Barry, Chief
Mechanical Division

TBB/cct

Providing for Michigan's Safety in the Built Environment

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P.O. BOX 30255 • LANSING, MICHIGAN 48909
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www.michigan.gov/bcc

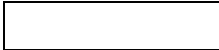
Dept. of Labor & Economic Growth
Bureau of Construction Codes
Mechanical Division
Lansing, Michigan

To Whom It May Concern:

I would like to request a formal hearing regarding my application for a Mechanical Contractor License.

David Horvath 10-8-07

David Horvath
1250 S. Lallendorf
Oregon, Ohio 43616



September 26, 2007

David Horvath
1250 Lallendorf
Oregon, OH 43616

Dear Mr. Horvath:

The Mechanical Division has received your application for Mechanical Contractor Licensing Examination. Upon review, it has been determined that the following information is required before you can be scheduled for examination:

Your application does not show documentation of your work experience. Rule 903(1) requires that the applicant have a minimum of three years experience in one or more of the work classifications set forth in the Act. Your application indicates that you do not have three years of experience.

You neglected to provide a signed and notarized experience record.

If appropriate, return the required information along with this letter to: Department of Labor & Economic Growth, Bureau of Construction Codes, Mechanical Division, P.O. Box 30254, Lansing, Michigan 48909. If we do not receive a response within 15 days from the date of this letter, your application for examination will be denied in accordance with Rule 902(5) and (6).

If you have any questions regarding the information in this letter, please contact this office at 517/241-9325, preferably after 10:00 a.m. on weekdays.

Sincerely,

David Adams, Assistant Chief
Mechanical Division

DAA/tl

Application for Mechanical Contractor License Examination
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes / Mechanical Division
P.O. Box 30255, Lansing, MI 48909
517-241-9325
www.michigan.gov/bcc

RECEIVED
127
SEP 24 2007

Application Fee: \$25.00 (nonrefundable)

Authority: 1984 PA 182 Completion: Mandatory Penalty: License will not be issued	The Department of Labor and Economic Growth will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need help with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.
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Instructions:

- Complete and sign application. Type or print in ink.
- Application must be received in the Bureau office not less than 20 working days before next scheduled exam.
- P.A. 236 of 1996, as amended, requires an applicant to include his or her social security number. However, a requirement under this section to include a social security number on an application does not apply to an applicant who demonstrates he or she is exempt under law from obtaining a social security number or to an applicant who for religious convictions is exempt under law from disclosure of his or her social security number under these circumstances.
 - This information is confidential. Disclosure of confidential information is protected by the Federal Privacy Act.
- Enclose a check made payable to the **State of Michigan**.
- Mail completed application and fee to the address above.

Applicant Information

NAME (Last, First, Middle) No initials Horvath David John		DATE OF BIRTH 71 -		
ADDRESS 1250 Tallendorf	CITY Oregon	COUNTY Lucas	STATE Ohio	ZIP CODE 43616
SOCIAL SECURITY NUMBER		TELEPHONE NUMBER (Include Area Code)		

Work Classifications (Check work classifications for which you are seeking licensure)

<input type="checkbox"/> 1. Hydronic heating and cooling and process piping. (Means the application of equipment and systems which provide air conditioning by the controlled forced circulation of fluids or vapors in pipes.)	<input checked="" type="checkbox"/> 6. Unlimited heating service. (Means the servicing of heating equipment and systems without restrictions concerning thermal capacity or grade of fuel oil or type of fuel.)
<input type="checkbox"/> 2. HVAC equipment. (Means the application of equipment and systems to provide air conditioning for occupants of buildings and structures. HVAC does not include the installation of portable self-contained refrigeration equipment and window type air conditioners of not more than 1 1/2 horsepower.)	<input type="checkbox"/> 7. Limited refrigeration and air conditioning service. (Means the servicing of refrigeration equipment and systems and air conditioning equipment and systems employing the refrigeration cycle unlimited capacity utilizing group one refrigerants as listed in the Michigan Mechanical Code.)
<input type="checkbox"/> 3. Ductwork. (Means the air distribution arrangement for supply, return and exhaust in air conditioning systems and in non-air conditioning systems, the materials and methods of which are specified in the Michigan Mechanical Code. Ductwork includes flues, vents and chimneys.)	<input type="checkbox"/> 8. Unlimited refrigeration and air conditioning service. (Means the servicing of refrigeration equipment and systems and air conditioning equipment and systems employing the refrigeration cycle unlimited as to thermal capacity or type of refrigerant.)
<input type="checkbox"/> 4. Refrigeration. (Means the use of equipment and systems including refrigeration piping, employing the refrigeration cycle to generate low temperatures for other than air condition equipment and systems. Refrigeration includes such equipment and systems as supermarket refrigeration, industrial refrigeration, the preservation of biological materials and food storage facilities. Refrigeration does not include the installation of portable self-contained units such as refrigerators, dehumidifiers and other similar equipment of not more than 1.5 horsepower or other equipment exempted from the Michigan Mechanical Code.)	<input type="checkbox"/> 9. Fire Suppression. (Means the integrated combination of a fire alarm system and fire suppression equipment which as a result of predetermined temperature, rate of temperature rise, products of combustion, flame, or human intervention will discharge a fire extinguishing substance over a fire area.)
<input type="checkbox"/> 5. Limited heating service. (Means the servicing of gas-designed sectional boilers having inputs of not more than 1 million Btu's, utilizing a combustion safeguard designed to shut off the main gas supply 10 or less seconds after pilot flame failure, and all other gas-fired or solid fuel equipment and systems limited to input ratings of less than 400,000 Btu's per unit; or oil-fired equipment and systems designed for the use of number 1 or number 2 fuel oil, having a maximum firing rate of less than five gallons per hours per unit; or electrical furnaces and electric boilers using the same kilowatts that are equivalent to the fossil fuel British thermal units generated.)	<input type="checkbox"/> 10. Specialty License. (Means a license to perform work within limits established by the board in one of the work classifications set forth below, for the installation and servicing of:) <ul style="list-style-type: none"><input type="checkbox"/> a. Solar.<input type="checkbox"/> b. Solid fuel.<input type="checkbox"/> c. LP tank and pipe.<input type="checkbox"/> d. Underground tank and pipe.<input type="checkbox"/> e. Gas piping.<input type="checkbox"/> f. Gas piping and venting.

Trade School

Have you attended a recognized trade school? ☐ Yes ☐ No

If yes and you are requesting credit, attach a copy of your official transcript and your original diploma or certificate of completion.

Examination Location

Examinations are given at the sites listed below. Refer to the enclosed "Mechanical Contractor Examination Schedule" for examination dates. Please check below the site you wish to be examined at and indicate a preference of examination date. If approved for examination, an admission card will be mailed to you approximately 10 days prior to the examination date. If the examination you have selected is full, you will be scheduled for the next available examination at your preferred site.

Preferred Site

Preferred Date

☒ Lansing Area

☐ Escanaba

☒ No Preference - Next Available Examination

If you have a learning disability, a psychological disability, or other hidden disability that requires an accommodation in testing, submit written documentation from an appropriate professional (education professional, doctor, psychologist, psychiatrist) to certify that your disabling condition requires the requested test accommodation. Forms are available from this office.

Background Information

Have you been convicted a felony or misdemeanor? ☐ Yes ☒ No

If yes, complete the Conviction History section below. Failure to accurately respond to this question will result in you forfeiting any rights of consideration for examination and issuance of a mechanical contractor's license in the state of Michigan.

Conviction History

In accordance with the Former Offenders Act, 1974 PA 381, this is to provide you with an opportunity to explain your affirmative response to the question above which asked if you had been convicted of a felony or misdemeanor.

If you are unsure of exact details, respond to the best of your knowledge. The information requested on this form is required under 1984 PA 192 and will be used to process your application. Attach additional sheet(s) if necessary.

YOUR NAME WHEN CONVICTED	
INDICATE CONVICTION(S) FOR WHICH YOU WERE CHARGED	
DATE(S) OF CONVICTION(S) AND SENTENCE(S)	
NAME AND ADDRESS OF SENTENCING COURT(S)	
CHECK YES OR NO TO THE FOLLOWING	
1. Are you a current inmate? <input type="checkbox"/> Yes <input type="checkbox"/> No	
2. Are you currently on probation / parole? <input type="checkbox"/> Yes <input type="checkbox"/> No	
3. If yes, provide the name, address and telephone number of the correctional facility, probation officer or parole officer.	
RELEASE DATE FROM CUSTODY, PROBATION OR PAROLE	
REHABILITATION PROGRAMS ENROLLED IN OR COMPLETED	

Conviction History Certification and Signature (To be signed only if Conviction History section above is completed)

I hereby certify the statements and facts provided are true and accurate to the best of my knowledge. By signing this form, I give my permission to allow the Bureau of Construction Codes to contact appropriate agencies regarding my record of conviction(s).

SIGNATURE

DATE

Experience Record

See Report

<p>It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.</p>			
EMPLOYER NAME		DATES EMPLOYED (Month / Day / Year)	
		FROM:	TO:
ADDRESS		TYPE OF WORK PERFORMED	
		<input type="checkbox"/> Residential <input type="checkbox"/> Full-Time <input type="checkbox"/> Commercial <input type="checkbox"/> Part-Time <input type="checkbox"/> Industrial Hours per week _____	
CITY	STATE	ZIP CODE	
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications)			
Employer Complete The Following			
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.		Subscribed and sworn before me, this _____ day of _____, 20____	
SIGNATURE OF CONTRACTOR OF RECORD	DATE	a Notary Public in and for _____ County, Michigan.	
NAME OF CONTRACTOR OF RECORD (No Initials)		Signature of Notary Public _____	
LICENSE NUMBER	TELEPHONE NUMBER (Include Area Code)	My Commission expires: _____, 20____	

Experience Record

<p>It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.</p>			
EMPLOYER NAME		DATES EMPLOYED (Month / Day / Year)	
		FROM:	TO:
ADDRESS		TYPE OF WORK PERFORMED	
		<input type="checkbox"/> Residential <input type="checkbox"/> Full-Time <input type="checkbox"/> Commercial <input type="checkbox"/> Part-Time <input type="checkbox"/> Industrial Hours per week _____	
CITY	STATE	ZIP CODE	
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications)			
Employer Complete The Following			
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.		Subscribed and sworn before me, this _____ day of _____, 20____	
SIGNATURE OF CONTRACTOR OF RECORD	DATE	a Notary Public in and for _____ County, Michigan.	
NAME OF CONTRACTOR OF RECORD (No Initials)		Signature of Notary Public _____	
LICENSE NUMBER	TELEPHONE NUMBER (Include Area Code)	My Commission expires: _____, 20____	

Experience Record

It is necessary to show a minimum of 3 years experience in one or more of the work classifications. List your present employer first. Describe the type of work performed in detail to enable the reviewer to correctly evaluate your qualifications. Describe the work classifications you have had experience in and the length of time you performed the work. Have each contractor of record certify your dates of employment and have their signatures notarized. Attach extra sheets if necessary.

EMPLOYER NAME			DATES EMPLOYED (Month / Day / Year)	
ADDRESS			FROM:	TO:
CITY	STATE	ZIP CODE	TYPE OF WORK PERFORMED	
			<input type="checkbox"/> Residential <input type="checkbox"/> Full-Time	
			<input type="checkbox"/> Commercial <input type="checkbox"/> Part-Time	
			<input type="checkbox"/> Industrial Hours per week _____	
DESCRIPTION OF WORK PERFORMED (Include experience in specific work classifications)				
Employer Complete The Following				
I hereby certify the applicant was in my employ during the period stated and the applicant's description of experience on this application is accurate.			Subscribed and sworn before me, this _____ day of _____, 20____	
SIGNATURE OF CONTRACTOR OF RECORD		DATE	a Notary Public in and for _____ County, Michigan.	
NAME OF CONTRACTOR OF RECORD (No Initials)			Signature of Notary Public _____	
LICENSE NUMBER	TELEPHONE NUMBER (Include Area Code)		My Commission expires: _____, 20____	

Certification and Signature (MUST BE SIGNED BY ALL APPLICANTS)

I certify all information in this application is true and complete and I agree and understand any falsification of material facts will result in my forfeiting any rights of consideration for examination and issuance of a mechanical contractor's license in the state of Michigan.

SIGNATURE OF APPLICANT	DATE
<i>David J. Housh</i>	9-18-07

OHIO BURNER AND BOILER SERVICE

P.O. Box 167001

Oregon, Ohio 43616

(419) 690-1800

Fax (419) 690-1801

Experience and Qualifications

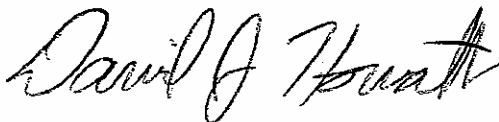
From 1979 to 1980, I worked for an electrical contractor.

I first worked with burners and controls in January 1980. I was employed at Toledo Combustion Equipment. I was trained as a service technician on industrial boilers and controls. The company was a Start up agent for Cleaver Brooks, Kewanee, Industrial Combustion, Gordon Piatt and PVI . From 1980 to 1997 I attended numerous factory-training seminars by Fireye and Honeywell to stay current with all the controls.

In 1992, Industrial Burner Systems of Ohio hired me for the top service position. I continued as a start up agent for Kewanee, Industrial Combustion, Gordon Piatt, PVI and Patterson Kelley.

In 1997, I opened my own company. I continued as a start up agent for Kewanee, Gordon Piatt, Patterson Kelley, Hurst Boilers and Bryan Boilers. As a factory trained start-up agent I regularly clock gas, test controls and attend service seminars. Over the years I have used combustion analyzers by Bacharach, American Gauge and Teledyne. I presently own an IMR 3 cell analyzer. I am familiar with codes by UL, FM and IRI. I presently work on boilers and burners from 50 hp to 1000 hp (2,100 MBH to 4,200,000 MBH). A majority of my work is in Ohio, but being close to the Michigan border I have been asked to do service in Lower Michigan. My company is strictly a service company. We do not do any installations or welding. I have enclosed copies of various works including a safety checklist that I developed in the mid 80's.

A classification #6 would allow me to perform CSD-1 reports.



9-18-07

David J Horvath

Ohio Burner & Boiler Service

PO Box 167001

Oregon, Ohio 43616

(419) 690-1800 Fax (419) 690-1801

Combustion Report

Job Name: Hirzel Canning Pemberville

Date: September 11 2007

Make: Cleaver Brooks boiler #4

Fuel: Natural Gas

Firing Position	Low	2	3	4	5
Stack Temp	345	351	354	361	367
Room temp	64	64	64	64	64
Oxygen %	8.2	7.0	5.7	4.5	4.2
Carbon Dioxide %	7.1	7.8	8.5	9.2	9.3
Carbon Monoxide PPM	10	9	5	13	15
Nitric Oxide PPM	45	46	46	53	57
Efficiency	81.6	82.1	82.6	82.9	82.8

Firing Position	6	7	8	9	High
Stack Temp	369	370	372	372	374
Room temp	64	64	64	63	63
Oxygen %	4.6	4.0	4.3	4.5	4.4
Carbon Dioxide %	9.1	9.5	9.3	9.2	9.2
Carbon Monoxide PPM	13	17	24	34	38
Nitric Oxide PPM	57	58	56	54	54
Efficiency	82.6	82.8	82.7	82.5	82.5

Safety Check List

Customer _____ Location _____

Boiler _____ Model _____ Serial # _____

Burner _____ Model _____ Serial # _____

Test Performed By _____ Date _____

Equipment Test	Condition	Comments
----------------	-----------	----------

Safety Valve _____

Low Water _____

Aux. Low Water _____

Pump Control _____

Operating Control _____

High Limit _____

Modulating Control _____

Low Gas Switch _____

High Gas Switch _____

Combustion Air Switch _____

Blower Interlock _____

Purge _____

Ignition _____

Pilot Valve _____

Main Valve _____

Vent Lines _____

Flame Failure _____

Programmer _____

Linkage _____

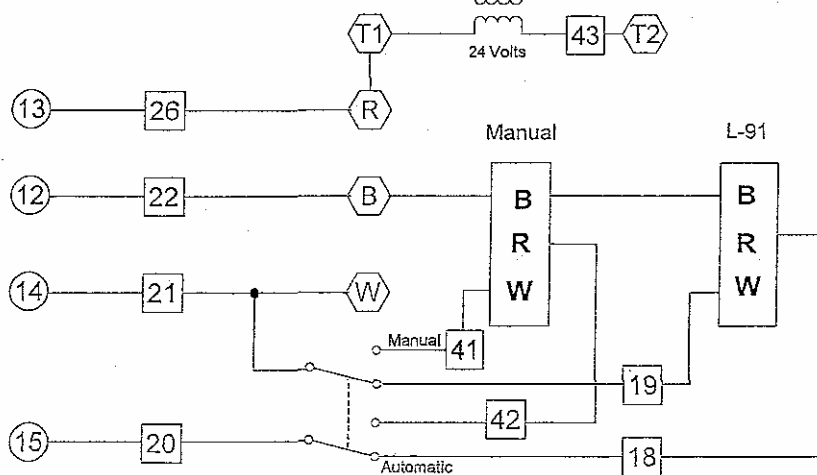
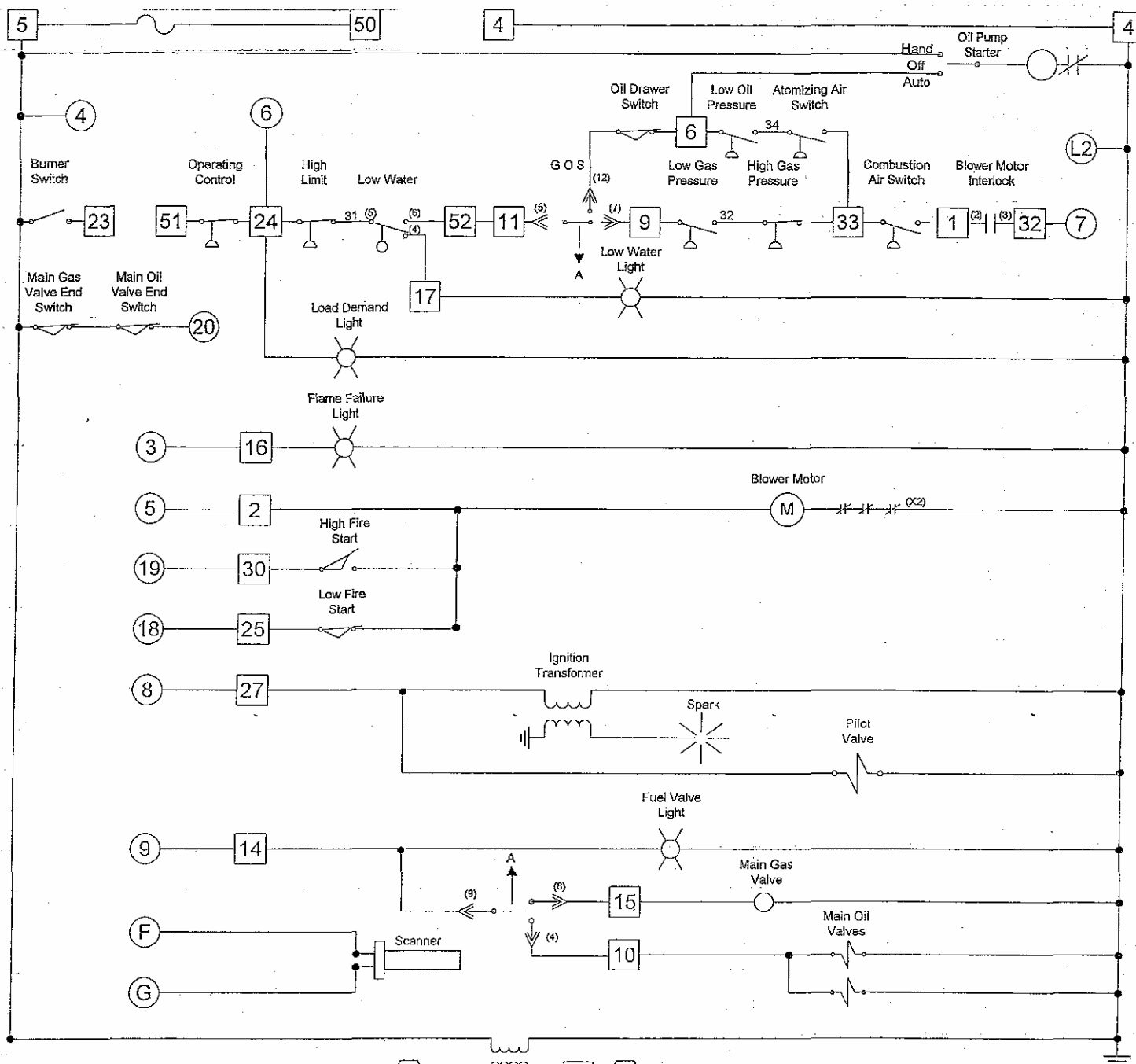
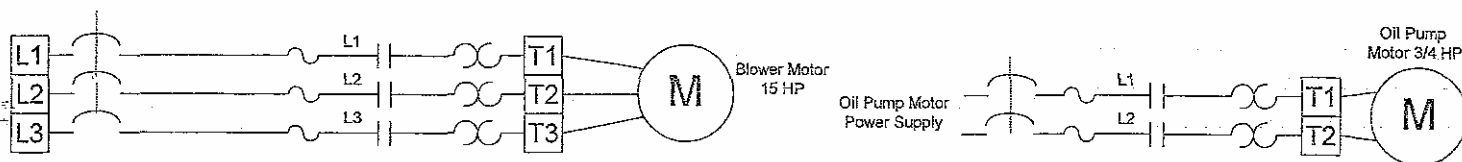
Wiring _____

Flame Signal _____

Room Condition _____

Combustion Air _____

Additional Comments _____



- Socket 'B' Terminals
- Equipment Terminals
- Terminals in Honeywell RM7800L
- Terminals in Panel
- Terminals in Modulation Motor

Ohio Burner & Boiler Service

DJH

12-8-02

SSC